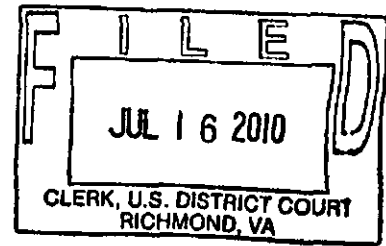
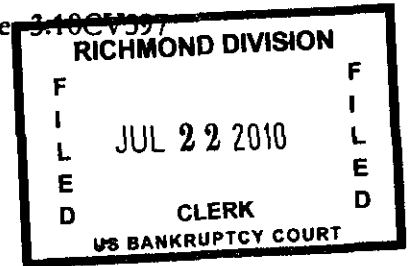


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION



In Re: Circuit City Stores, Inc., et al,

Civil Action Number 3:10-cv-00397




ORDER

This matter is before the Court on Appellant Schimenti Construction, LLC's ("Schimenti") Motion for Leave to Appeal the Bankruptcy Court's April 30, 2010 Second Supplemental Order on Debtors' Fifth Omnibus Objection to Certain Misclassified Non-Goods 503(b)(9) Claim. (Doc. No. 1.) For the reasons stated in the Court's accompanying Memorandum Opinion, Schimenti's Motion is DENIED as MOOT, and Schimenti may appeal the Bankruptcy Court's Order as a matter of right. Schimenti is directed to file its appellate brief on the matter within thirty (30) days of the Court's Order and Circuit City Stores, Inc., et al. is directed to file its response within twenty-one (21) days thereafter. No reply brief will be necessary.

Let the Clerk send a copy of this Order to all counsel of record.

It is SO ORDERED.



James R. Spence
Chief United States District Judge

ENTERED 16th day of July 2010